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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Federal Union of European Nationalities, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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The situation of the Turkish minority of Western Thrace in Greece

The Federal Union of European Nationalities (FUEN) is deeply concerned about the situation of the Turkish Minority of Western Thrace in Greece which holds the EU Presidency for the fifth time since its accession to the European Union in 1981.

FUEN visited Western Thrace three times in 2012 and 2013 and conducted extensive consultations with minority representatives and consulted civil society organizations, religious leaders and the minority members in Xanthi and Komotini.

Although Greece affirms an individual's right of self-identification it does not confer official status on any indigenous ethnic group nor recognize "ethnic minority" or "linguistic minority" as legal terms. Greece recognizes the Turkish Minority of Western Thrace by its religious identity, as "Muslim minority in Thrace". We call upon the Government of Greece to respect the right to self-identification of the persons belonging to national or ethnic, religious and linguistic minorities and retreat from the dispute over how to identify national or ethnic, religious and linguistic groups and place their full focus on protecting the rights to self-identification of those communities.

There are currently no associations in Greece operating legally with their names including the word "Turkish" which reflects the ethnic or national identity of their members. Following the dissolution of the Turkish associations in the late 1980's, the three associations (Xanthi Turkish Union, Cultural Association of Turkish Women of the Region of Rodopi and Evros Prefecture Minority Youth Association) lodged a complaint with the European Court of Human Rights, and in 2008 the Court held unanimously that there is a violation of Article 11 (freedom of assembly and association) of the European Convention on Human Rights. We would like to stress the importance of the European Court of Human Rights for the implementation of the European Convention on Human Rights in all member states of the Council of Europe, we urge the Government of Greece to implement, without any further delay, the decisions of the European Court and allow the registration of associations under the names of the choice of their founding members whether they contain the name of an ethnic group or the word "minority".

Under the 1923 Lausanne Peace Treaty, which determined the status and the rights of the Turkish Minority of Western Thrace, the Minority has an equal right with the non-Muslim minority in Turkey to establish, manage and control at their own expense, any charitable, religious and social institution, any school and other establishment for instruction and education, with the right to use their own language and to exercise their own religion freely therein. The autonomous structures have in practice been destroyed with persistent and massive violations of human rights, which are in clear violation of the Lausanne and other international treaties to which Greece is a party as well as principles and values that have inspired the European Union.

One of the most important problems stated during FUEN's visit to the region is the absence of bilingual minority kindergartens for the Turkish Minority of Western Thrace. All children who complete the 5th year of their age are obliged to attend state kindergartens where the language of education is only Greek. The right not to be discriminated is violated because Greece without an objective and reasonable justification fails to treat differently minority children who speak a different language other than Greek. FUEN met parents of the 20 minority children of whom children were not enrolled to the first grade of the primary school in September 2012 on the ground that those children did not attend public kindergartens. Greece should provide adequate opportunities to persons belonging to the Turkish minority to learn their mother tongue or to learn through the medium of the mother tongue, alternatives which should not be understood as mutually exclusive. We urge the Government of Greece to integrate kindergartens into minority bilingual primary schools and allow the establishment of minority kindergartens where the language education would be both Turkish and Greek.

Although the Greek Constitution ensures the right to freedom of religion or belief, the Turkish Minority of Western Thrace is challenged by prohibitions to its right to elect its own religious leaders (muftis). Instead Greece appoints muftis on the ground that the muftis have legal authority on civic issues. Greek authorities stated that they are

examining possible ways of introducing new elements that would allow an even more representative and transparent process for the selection of the Muftis. Any efforts to improve this framework by Greek authorities should be in accordance with the rights and freedoms granted to the Minority by international treaties. A dialogue mechanism on equal footings should be established by Greek authorities and the best interest of the Minority should be the priority in solution of the Mufti issue.

The Law on Muslim Preachers (4115/2013) envisages the appointment of 240 "Quran teachers" who will offer their services in the public schools of primary and secondary education and mosques in Western Thrace under the auspices of the official muftis who are appointed by the State itself. This legislation would further allow the government to expand its control over religion in public schools in the region through the new provision which is made for the teaching of the Quran by appointed Muslim preachers in public schools in Western Thrace.

We urge the Government of Greece to respect the right of the religious minorities to select, appoint and replace their personnel in accordance with their respective requirements and standards. Greece should fully guarantee and realize that the members of the Turkish Minority would enjoy the same treatment and security in law and in fact as other Greek nationals in the management and control of their religious institutions and that they could exercise their religion freely therein.

The Treaty of Lisbon emphasizes individual's right to equality of all persons and their membership in an ethnic, national, linguistic or religious minority and Charter of Fundamental Rights prohibits any discrimination on grounds of "membership of a national minority", in addition to "race", "ethnic or social origin", "language", "religion or belief". The protection of persons belonging to minorities is now a part of EU legislation and policy.

In his speech at the European Parliament where Greek Prime Minister Antonis Samaras presented priorities of the Greek Presidency he stressed that we need "more and better Europe"! Prime Minister Samaras said that in the European Parliament elections in May 2014, European citizens will not to vote with the bitter aftertaste of the crisis, but with the feeling, the hope that the crisis is being overcome and that Europe comes out stronger and better. For a much stronger and better Europe where there are more than 300 European minorities in Europe, and where one in seven Europeans is part of an autochthonous minority or speaks a regional or minority language, we urge the Greek Presidency to immediately ratify the European Charter for Regional or Minority Languages and the Framework Convention for the Protection of National Minorities.

Our member organizations Federation of Western Thrace Turks in Europe (ABTTF), Western Thrace Minority University Graduates Association and Friendship, Equality and Peace Party have repeatedly asked Greek authorities to respect their obligations under the Treaty of Lausanne and act in full compliance with the provisions of the Treaty and the core international human rights treaties to which Greece is a party. During its Presidency of the European Union, we urge the Government of Greece to start with an official dialogue with representative of the Minority in order to find solutions to their problems and include them in decision-making processes which are of direct interest to them.